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14 Toshiba America, Inc., Toshiba America
15 Information Systems, Inc., Toshiba America
16 Consumer Products, LLC, and Toshiba America
17 Electronic Components, Inc.*

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20 UNITED STATES DISTRICT COURT
21 NORTHERN DISTRICT OF CALIFORNIA
22 (SAN FRANCISCO DIVISION)

23
24 IN RE: CATHODE RAY TUBE (CRT)
25 ANTITRUST LITIGATION

26
27 Case No. 07-5944 SC
28 MDL No. 1917

1 This Document Relates to:

2 ALL INDIRECT PURCHASER ACTIONS

3 *Best Buy Co., Inc., et al. v. Hitachi, Ltd., et al.,*

4 Case No. 3:11-cv-05513

5 *Best Buy Co., Inc., et al. v. Technicolor SA, et*
6 *al., Case No. 13-cv-05264*

7 *Costco Wholesale Corp. v. Hitachi, Ltd., et al.,*
8 Case No. 3:11-cv-06397

9 *Interbond Corp. of America v. Hitachi, Ltd., et*
10 *al., Case No. 3:11-cv-06275*

11 *Interbond Corp. of America v. Technicolor SA, et*
12 *al., Case No. 3:13-cv-05727*

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**DECLARATION OF
LUCIUS B. LAU IN SUPPORT OF
THE TOSHIBA DEFENDANTS'
ADMINISTRATIVE MOTION TO
FILE DOCUMENTS UNDER SEAL
PURSUANT TO CIVIL LOCAL
RULES 7-11 AND 79-5(d)**

1 DECLARATION OF LUCIUS B. LAU IN SUPPORT OF THE TOSHIBA DEFENDANTS' ADMINISTRATIVE
2 MOTION TO FILE DOCUMENTS UNDER SEAL PURSUANT TO CIVIL LOCAL RULES 7-11 AND 79-5(d)

3 Case No. 07-5944-SC, MDL No. 1917

1 *Office Depot, Inc. v. Hitachi, Ltd., et al.*, Case
2 No. 3:11-cv-06276

3 *Office Depot, Inc. v. Technicolor SA, et al.*, Case
4 No. 3:13-cv-05726

5 *Tech Data Corp., et al. v. Hitachi, Ltd., et al.*,
6 Case No. 3:13-cv-00157

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MOTION TO FILE DOCUMENTS UNDER SEAL PURSUANT TO CIVIL LOCAL RULES 7-11 AND 79-5(d)

Case No. 07-5944-SC, MDL No. 1917

1 I, Lucius B. Lau, hereby declare as follows:

2 1. I am an attorney with the law firm of White & Case LLP, counsel for
3 Defendants Toshiba Corporation, Toshiba America, Inc., Toshiba America Consumer
4 Products, LLC, Toshiba America Information Systems, Inc., and Toshiba America Electronic
5 Components, Inc. (collectively, the “Toshiba Defendants”).

6 2. I submit this declaration in support of the Toshiba Defendants’ Administrative
7 Motion to File Documents Under Seal Pursuant to Civil Local Rules 7-11 and 79-5(d), dated
8 January 23, 2015, filed contemporaneously herewith. I have personal knowledge of the facts
9 stated herein, and I could and would competently testify thereto if called as a witness.

10 3. On June 18, 2008, the Court issued a Stipulated Protective Order (Dkt. No.
11 306) (the “Stipulated Protective Order”).

12 4. On November 7, 2014, the Toshiba Defendants filed the Defendants’ Notice
13 of Motion and Motion for Partial Summary Judgment on Plaintiffs’ Indirect Purchaser
14 Claims Based on Foreign Sales (“Defendants’ Motion”) and the Declaration of Lucius B.
15 Lau in Support of the Defendants’ Motion, and attached:

16 a. Exhibit B, the Expert Report of Janet S. Netz, Ph.D., dated April 15, 2014,
17 which the Indirect Purchaser Plaintiffs designated as “Confidential” under
18 the Stipulated Protective Order.

19 5. Portions of the Defendants’ Motion contained quotations from, and discussion
20 of, the above-specified “Confidential” material. As such, the Toshiba Defendants filed the
21 Defendants’ Motion under seal.

22 6. On January 23, 2015, the Toshiba Defendants filed the Defendants’ Reply
23 Memorandum in Support of Motion for Partial Summary Judgment on Plaintiffs’ Indirect
24 Purchaser Claims Based on Foreign Sales (“Defendants’ Reply”), which contained
25 quotations from, and discussion of, the above-specified “Confidential” material. As such, the
26 Toshiba Defendants filed the Defendants’ Reply under seal.

27 7. Pursuant to Civil Local Rules 7-11 and 79-5(d), this Court’s General Order
28 No. 62, Electronic Filing of Documents Under Seal, effective May 10, 2010, and the

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1 Stipulated Protective Order, the above-mentioned materials should be maintained under seal
2 and in redacted form.

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4 I declare under penalty of perjury under the laws of the United States of America that
5 the foregoing is true and correct.

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7 Executed this 23rd day of January, 2015, in Washington, D.C.

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11 Lucius B. Lau

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